

REFERENCE TITLE: special license plates; renewal fees

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
Second Regular Session  
2008

## HB 2253

Introduced by  
Representatives Weiers JP: Burges, Clark, Gallardo, Tobin, Tom

AN ACT

AMENDING SECTIONS 28-2402, 28-2416, 28-2423, 28-2424, 28-2425, 28-2426, 28-2427 AND 28-2428, ARIZONA REVISED STATUTES; RELATING TO SPECIAL LICENSE PLATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-2402, Arizona Revised Statutes, is amended to  
3 read:

4 28-2402. Special plate fees

5 A. The following fees are required:

6 1. EXCEPT AS PROVIDED IN SUBSECTIONS B AND C OF THIS SECTION,  
7 twenty-five dollars for each pair of original and for each annual renewal of  
8 special plates issued under this article, except special plates for hearing  
9 impaired persons issued under section 28-2408 and international symbol of  
10 access special plates issued under section 28-2409.

11 2. Twelve dollars for a transfer of special plates, unless exempt  
12 pursuant to section 28-2403.

13 B. FOR PERSONALIZED SPECIAL PLATES THAT ARE COMBINED WITH OTHER  
14 SPECIAL PLATES:

15 1. THE FEE FOR EACH PAIR OF ORIGINAL PLATES IS SEVENTY-FIVE DOLLARS.  
16 FIFTY DOLLARS IS FOR THE PERSONALIZED SPECIAL PLATE AND TWENTY-FIVE DOLLARS  
17 IS FOR THE OTHER SPECIAL PLATE.

18 2. THE MAXIMUM ANNUAL RENEWAL FEE IS TWENTY-FIVE DOLLARS. THIS  
19 RENEWAL FEE IS FOR THE OTHER SPECIAL PLATE AND IS NOT FOR THE PERSONALIZED  
20 SPECIAL PLATE.

21 C. FOR PERSONALIZED SPECIAL PLATES THAT ARE NOT COMBINED WITH ANY  
22 OTHER SPECIAL PLATES THERE IS A FEE OF FIFTY DOLLARS FOR EACH PAIR OF  
23 ORIGINAL SPECIAL PLATES AND NO RENEWAL FEE.

24 Sec. 2. Section 28-2416, Arizona Revised Statutes, is amended to read:

25 28-2416. Alternative fuel vehicle special plates; stickers; use  
26 of high occupancy vehicle lanes; definitions

27 A. Beginning on April 1, 1997, a person who owns a motor vehicle that  
28 has either been converted or manufactured to use an alternative fuel and the  
29 alternative fuel was subject to the use fuel tax imposed pursuant to chapter  
30 16 of this title before April 1, 1997 shall apply for alternative fuel  
31 vehicle special plates pursuant to this section.

32 B. A person who owns a motor vehicle that is a hybrid vehicle may  
33 apply for alternative fuel vehicle special plates pursuant to this section.  
34 The department shall issue alternative fuel vehicle special plates, or an  
35 alternative fuel vehicle sticker as provided in subsection E of this section,  
36 and a hybrid vehicle sticker to a person who satisfies the requirements  
37 prescribed in subsection C of this section. The hybrid vehicle sticker shall  
38 be designed by the department and shall be placed on the motor vehicle as  
39 prescribed by the department.

40 C. The department shall issue alternative fuel vehicle special plates,  
41 or an alternative fuel vehicle sticker as provided in subsection E of this  
42 section, to a person who satisfies all of the following:

43 1. Owns a motor vehicle that is powered by an alternative fuel or that  
44 is a hybrid vehicle.

1           2. Provides proof as follows:

2           (a) For an original equipment manufactured alternative fuel vehicle or  
3 hybrid vehicle, the dealer who sells the motor vehicle shall provide to the  
4 department of transportation and the owner of the motor vehicle a certificate  
5 indicating:

6           (i) That the motor vehicle is powered by an alternative fuel or is a  
7 hybrid vehicle.

8           (ii) The emission classification of the motor vehicle as low,  
9 inherently low, ultralow or zero.

10          (b) For a converted motor vehicle or a motor vehicle that is assembled  
11 by the owner, the department of environmental quality or an agent of the  
12 department of environmental quality shall provide a certificate to the  
13 department of transportation and the owner of the motor vehicle indicating  
14 that the motor vehicle is powered by an alternative fuel or is a hybrid  
15 vehicle.

16          3. Pays an eight dollar special plate ~~administrative~~ ADMINISTRATION  
17 fee, except that vehicles that are registered pursuant to section 28-2511 are  
18 exempt from that fee. The department shall deposit, pursuant to sections  
19 35-146 and 35-147, all special plate ~~administrative~~ ADMINISTRATION fees in  
20 the state highway fund established by section 28-6991.

21          D. The color and design of the alternative fuel vehicle special plates  
22 are subject to the approval of the department of commerce energy office. The  
23 director may allow a request for alternative fuel vehicle special plates to  
24 be combined with a request for personalized special plates. If the director  
25 allows such a combination, the request shall be in a form prescribed by the  
26 director and is subject to the fees for the ORIGINAL personalized special  
27 plates in addition to the fees required for ORIGINAL alternative fuel vehicle  
28 special plates. Alternative fuel vehicle special plates are not  
29 transferable, except that if the director allows alternative fuel vehicle  
30 special plates to be personalized a person who is issued personalized  
31 alternative fuel vehicle special plates may transfer those plates to another  
32 alternative fuel vehicle for which the person is the registered owner or  
33 lessee.

34          E. If a motor vehicle qualifies pursuant to this section and any other  
35 special plates are issued pursuant to article 7, 8 or 13 of this chapter or  
36 section 28-2514 for the motor vehicle, the department may issue an  
37 alternative fuel vehicle sticker to the person who owns the motor vehicle.  
38 The alternative fuel vehicle sticker shall be diamond-shaped, shall indicate  
39 the type of alternative fuel used by the vehicle and shall be placed on the  
40 motor vehicle as prescribed by the department.

41          F. Except as provided in section 28-737, subsection B, a person may  
42 drive a motor vehicle with alternative fuel vehicle special plates or an  
43 alternative fuel vehicle sticker in high occupancy vehicle lanes at any time,  
44 regardless of occupancy level, without penalty.

1 G. A person shall not drive a motor vehicle in a high occupancy  
2 vehicle lane with an alternative fuel vehicle sticker if the motor vehicle is  
3 not an alternative fuel vehicle or a hybrid vehicle for which an alternative  
4 fuel vehicle sticker and a hybrid vehicle sticker have been issued pursuant  
5 to this section. A person who violates this subsection is subject to a civil  
6 penalty of three hundred fifty dollars. Notwithstanding section 28-1554, the  
7 civil penalty collected pursuant to this subsection shall be deposited in the  
8 state general fund.

9 H. The department shall mark high occupancy vehicle lane signs to  
10 indicate that those lanes may be used by alternative fuel vehicles regardless  
11 of the number of occupants. The design of the sign shall be the same as the  
12 design of the alternative fuel vehicle special plate, and the sign shall be  
13 at least as large as the high occupancy vehicle lane sign. These high  
14 occupancy vehicle lane signs are official traffic control devices. On  
15 highway exit signs the department shall also indicate access to alternative  
16 fuel vehicle fueling stations that are open to the public.

17 I. If the department publishes maps of the state highway system that  
18 are distributed to the general public, the department shall indicate on those  
19 maps the approximate location of alternative fuel delivery facilities that  
20 are open to the public.

21 J. For the purposes of this section:

22 1. "Alternative fuel" has the same meaning prescribed in section  
23 1-215.

24 2. "Hybrid vehicle" has the same meaning prescribed in section 28-737.

25 Sec. 3. Section 28-2423, Arizona Revised Statutes, is amended to read:

26 28-2423. Breast and cervical cancer screening and diagnostic  
27 special plates

28 A. The department shall issue breast and cervical cancer screening and  
29 diagnostic special plates. The director of the department, or the director's  
30 designee, shall design the breast and cervical cancer screening and  
31 diagnostic special plates. The director may allow a request for breast and  
32 cervical cancer screening and diagnostic special plates to be combined with a  
33 request for personalized special plates. If the director allows such a  
34 combination, the request shall be in a form prescribed by the director and is  
35 subject to the fees for the ORIGINAL personalized special plates in addition  
36 to the fees required for ORIGINAL breast and cervical cancer screening and  
37 diagnostic special plates.

38 B. Of the twenty-five dollar fee required by section 28-2402 for the  
39 original special plates and for renewal of special plates, eight dollars is a  
40 special plate administration fee and seventeen dollars is an annual donation.

41 C. The department shall deposit, pursuant to sections 35-146 and  
42 35-147, all special plate administration fees in the state highway fund  
43 established by section 28-6991 and all donations collected pursuant to this  
44 section in the breast and cervical cancer screening and diagnostic special  
45 plate fund established by section 36-119.

1           Sec. 4. Section 28-2424, Arizona Revised Statutes, is amended to read:

2           28-2424. Golden rule special plates

3           A. The department shall issue golden rule special plates. The  
4 incorporated nonprofit corporation that provided the thirty-two thousand  
5 dollars for implementation of this section shall design the golden rule  
6 special plates. The design and color of the golden rule special plates are  
7 subject to the approval of the department. The director may allow a request  
8 for golden rule special plates to be combined with a request for personalized  
9 special plates. If the director allows such a combination, the request shall  
10 be in a form prescribed by the director and is subject to the fees for the  
11 ORIGINAL personalized special plates in addition to the fees required for  
12 ORIGINAL golden rule special plates.

13           B. Of the twenty-five dollar fee required by section 28-2402 for the  
14 original special plates and for renewal of special plates, eight dollars is a  
15 special plate administration fee and seventeen dollars is an annual donation.

16           C. The department shall deposit, pursuant to sections 35-146 and  
17 35-147, all special plate administration fees in the state highway fund  
18 established by section 28-6991 and all donations collected pursuant to this  
19 section in the golden rule special plate fund established by section 15-243.

20           Sec. 5. Section 28-2425, Arizona Revised Statutes, is amended to read:

21           28-2425. White Mountain Apache tribe special plates

22           A. The department shall issue White Mountain Apache tribe special  
23 plates. The color and design of the White Mountain Apache tribe special  
24 plates shall be different from the color and design of regular license plates  
25 determined by the license plate commission pursuant to section 28-2351 and  
26 shall be representative of the White Mountain Apache tribe. The director may  
27 allow a request for White Mountain Apache tribe special plates to be combined  
28 with a request for personalized special plates. If the director allows such  
29 a combination, the request shall be in a form prescribed by the director and  
30 is subject to the fees for the ORIGINAL personalized special plates in  
31 addition to the fees required for ORIGINAL White Mountain Apache tribe  
32 special plates.

33           B. Of the twenty-five dollar fee required by section 28-2402 for the  
34 original special plates and for renewal of special plates, eight dollars is a  
35 special plate administration fee and seventeen dollars is an annual donation.

36           C. The department shall deposit, pursuant to sections 35-146 and  
37 35-147, all special plate administration fees in the state highway fund  
38 established by section 28-6991 and shall transmit all donations collected  
39 pursuant to this section to the White Mountain Apache tribe transportation  
40 committee. The White Mountain Apache tribe transportation committee shall  
41 use these monies only for traffic control devices that conform to the manual  
42 and specifications prescribed in section 28-641 on highways on the Fort  
43 Apache Indian reservation that are located in this state and that are not  
44 state highways.

1           Sec. 6. Section 28-2426, Arizona Revised Statutes, is amended to read:

2           28-2426. Arizona professional baseball club special plates:  
3                     fund

4           A. The department shall issue Arizona professional baseball club  
5 special plates. The entity that provides the thirty-two thousand dollars FOR  
6 IMPLEMENTATION OF THIS SECTION shall design the Arizona professional baseball  
7 club special plates. The design and color of the Arizona professional  
8 baseball club special plates are subject to the approval of the department.  
9 The director may allow a request for Arizona professional baseball club  
10 special plates to be combined with a request for personalized special plates.  
11 If the director allows such a combination, the request shall be in a form  
12 prescribed by the director and is subject to the fees for the ORIGINAL  
13 personalized special plates in addition to the fees required for ORIGINAL  
14 Arizona professional baseball club special plates.

15           B. Of the twenty-five dollar fee required by section 28-2402 for the  
16 original special plates and for renewal of special plates, eight dollars is a  
17 special plate administration fee and seventeen dollars is an annual donation.

18           C. The department shall deposit, pursuant to sections 35-146 and  
19 35-147, all special plate administration fees in the state highway fund  
20 established by section 28-6991 and all donations collected pursuant to this  
21 section in the Arizona professional baseball club special plate fund  
22 established by subsection D of this section.

23           D. The Arizona professional baseball club special plate fund is  
24 established consisting of monies received pursuant to this section. The  
25 director shall administer the fund. The first thirty-two thousand dollars  
26 received shall be reimbursed to the entity that paid the implementation fee  
27 to the department pursuant to subsection A of this section. Not more than  
28 ten per cent of monies deposited in the fund annually shall be used for the  
29 cost of administering the fund. Monies in the fund are continuously  
30 appropriated. The director shall allocate monies from the fund through a  
31 private Arizona professional baseball organization's foundation that is  
32 qualified under section 501(c)(3) of the United States internal revenue code  
33 for federal income tax purposes and that further allocates the monies to  
34 programs relating to youth education and development, housing for the  
35 homeless or low-income persons and health care for the indigent. The  
36 director shall forward all monies deposited in the Arizona professional  
37 baseball club special plate fund, excluding administrative fees, to the  
38 foundation on an annual basis.

39           E. On notice from the director, the state treasurer shall invest and  
40 divest monies in the fund as provided by section 35-313, and monies earned  
41 from investment shall be credited to the fund.

42           Sec. 7. Section 28-2427, Arizona Revised Statutes, is amended to read:

43           28-2427. Families of fallen police officers special plates

44           A. The department of transportation shall issue families of fallen  
45 police officers special plates. The entity that provides the thirty-two

1 thousand dollars **FOR IMPLEMENTATION OF THIS SECTION** shall design the families  
2 of fallen officers special plate. The design and color of the families of  
3 fallen police officers special plates are subject to the approval of the  
4 department of transportation. The director of the department of  
5 transportation may allow a request for families of fallen police officers  
6 special plates to be combined with a request for personalized special plates.  
7 If the director of the department of transportation allows such a  
8 combination, the request shall be in a form prescribed by the director of the  
9 department of transportation and is subject to the fees for the **ORIGINAL**  
10 personalized special plates in addition to the fees required for **ORIGINAL**  
11 families of fallen police officers special plates.

12 B. Of the twenty-five dollar fee required by section 28-2402 for the  
13 original special plates and for renewal of special plates, eight dollars is a  
14 special plate administration fee and seventeen dollars is an annual donation.

15 C. The department of transportation shall deposit, pursuant to  
16 sections 35-146 and 35-147, all special plate administration fees in the  
17 state highway fund established by section 28-6991 and all donations collected  
18 pursuant to this section in the families of fallen police officers special  
19 plate fund established by section 41-1721.

20 Sec. 8. Section 28-2428, Arizona Revised Statutes, is amended to read:

21 **28-2428. Military support special plates**

22 A. The department of transportation shall issue military support  
23 special plates. The costs of issuing the military support special plates  
24 shall be paid by monies in the veterans' ~~donation~~ **DONATIONS** fund established  
25 pursuant to section 41-608. The department of veterans' services and the  
26 department of transportation shall design the military support special  
27 plates. The director may allow a request for military support special plates  
28 to be combined with a request for personalized special plates. If the  
29 director allows such a combination, the request shall be in a form prescribed  
30 by the director and is subject to the fees for the **ORIGINAL** personalized  
31 special plates in addition to the fees required for **ORIGINAL** military support  
32 special plates.

33 B. Of the twenty-five dollar fee required by section 28-2402 for the  
34 original special plates and for renewal of special plates, eight dollars is a  
35 special plate administration fee and seventeen dollars is an annual donation.

36 C. The department shall deposit, pursuant to sections 35-146 and  
37 35-147, all special plate administration fees in the state highway fund  
38 established by section 28-6991 and all donations collected pursuant to this  
39 section in the veterans' ~~donation~~ **DONATIONS** fund established by section  
40 41-608.

41 Sec. 9. **Effective date**

42 This act is effective from and after December 31, 2008.